



Senate

General Assembly

January Session, 2013

File No. 420

Senate Bill No. 963

Senate, April 9, 2013

The Committee on Planning and Development reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE EXPIRATION OF APPROVALS FOR ON-SITE SEWAGE DISPOSAL SYSTEMS WITH DESIGN FLOWS OF LESS THAN FIVE THOUSAND GALLONS PER DAY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) Notwithstanding any
2 regulations to the contrary, for any permit or approval issued prior to
3 July 1, 2011, for any on-site sewage disposal system with design flows
4 of less than five thousand gallons per day, such on-site sewage
5 disposal system permit or approval shall expire nine years after the
6 date of approval, provided such on-site sewage disposal system permit
7 or approval has not expired prior to the effective date of this section. If
8 the on-site sewage disposal system permit or approval was issued in
9 conjunction with a site plan approved pursuant to section 8-3 of the
10 general statutes, a plan of subdivision approved pursuant to section 8-
11 26 of the general statutes, or a permit to conduct a regulated activity
12 issued pursuant to section 22a-42a of the general statutes and the
13 applicant has received one or more extensions of time in which to

14 complete all or part of the work in connection with such approved site
15 plan, plan of subdivision or permit to conduct a regulated activity, the
16 on-site sewage disposal system permit or approval shall not expire
17 until the latest date on which such site plan, subdivision or permit to
18 conduct a regulated activity expires.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

PD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Revenue Loss	See Below	See Below

Explanation

The bill extends the expiration date of certain permits and makes them valid for up to nine years. This results in a revenue loss to municipalities that issue fees for these permits, as it results in reduced frequency of permit renewal.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 963*****AN ACT CONCERNING THE EXPIRATION OF APPROVALS FOR ON-SITE SEWAGE DISPOSAL SYSTEMS WITH DESIGN FLOWS OF LESS THAN FIVE THOUSAND GALLONS PER DAY.*****SUMMARY:**

This bill extends the validity period for certain on-site sewage disposal system (i.e., septic system) permits and approvals. It applies to permits and approvals (1) for on-site sewage disposal systems with a daily capacity of fewer than 5,000 gallons; (2) issued before July 1, 2011; and (3) that have not expired by the bill's effective date.

The bill makes these permits and approvals valid for nine years from the approval date, unless they were issued for certain projects requiring land use approvals.

EFFECTIVE DATE: Upon passage

PERMITS AND APPROVALS FOR SMALL ON-SITE SEPTIC SYSTEMS

The Public Health Code authorizes local health directors to issue and administer "permits to discharge" and "approvals to construct" for on-site septic systems with a daily capacity of fewer than 5,000 gallons. Approvals to construct are valid for one year from their issuance date and expire if construction does not start within that period. They may be extended for an additional year for reasonable cause. Permits to discharge expire five years after their issuance date (Conn. Agencies Reg., § 19-13-B103e and *Technical Standards for Subsurface Sewage Disposal Systems*).

With certain exceptions, the bill extends the validity period for these permits and approvals to nine years from the approval date, if they

were issued before July 1, 2011 and have not expired by the bill's effective date. If the permit or approval was issued in conjunction with a project requiring site plan, subdivision, or inland wetlands approval, and the applicant has received at least one extension in connection with the land use approval, the bill ties the septic system permit's or approval's validity period to the corresponding land use approval's expiration date.

Generally, these land use approvals expire between five and 10 years from the date they were approved, depending on the municipality and the nature of the project. But certain approvals that had not expired by May 9, 2011 and were approved before July 1, 2011 are valid for between nine and 14 years.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 19 Nay 0 (03/22/2013)